

Peter W. Denton  
202 429 6445

1330 Connecticut Avenue, NW  
Washington, DC 20036-1795  
202 429 3000 main  
www.step toe.com

**Step toe**  
STEPTOE & JOHNSON LLP

246873

ENTERED  
Office of Proceedings  
December 7, 2018  
Part of  
Public Record

December 7, 2018

**VIA E-FILING**

Ms. Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, S.W.  
Washington, DC 20423-0001

Re: **Docket No. FD 36247, Florida Gulf & Atlantic Railroad, LLC—Acquisition  
and Operation Exemption With Interchange Commitment—CSX  
Transportation, Inc.**

Dear Ms. Brown:

Enclosed for e-filing on behalf of Florida Gulf & Atlantic Railroad, LLC is a Verified Notice of Exemption filed pursuant to 49 C.F.R. § 1150.31.

We are also e-filing with the Verified Notice a Confidential Appendix containing the confidential information and documents relating to the interchange commitment required under 49 C.F.R. § 1150.33(h). Pursuant to 49 C.F.R. § 1150.33(h)(1), this information may be filed under 49 C.F.R. § 1104.14(a) and will be kept confidential without need for the filing of an accompanying motion for protective order under 49 C.F.R. § 1104.14(b). As specified in the Confidential Appendix, we are designating this information as “Highly Confidential.”

Also enclosed as a confidential attachment is a form authorizing payment in the amount of \$2,000, representing the appropriate fee for this filing.

FEE RECEIVED  
December 7, 2018  
SURFACE  
TRANSPORTATION BOARD

FILED  
December 7, 2018  
SURFACE  
TRANSPORTATION BOARD

Please contact me with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter W. Denton', with a long horizontal flourish extending to the right.

Peter W. Denton  
Attorney for Florida Gulf & Atlantic Railroad,  
LLC

Enclosures

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

DOCKET NO. FD 36247

---

FLORIDA GULF & ATLANTIC RAILROAD, LLC  
—ACQUISITION AND OPERATION EXEMPTION WITH INTERCHANGE  
COMMITMENT—CSX TRANSPORTATION, INC.

---

VERIFIED NOTICE OF EXEMPTION  
Pursuant to 49 C.F.R. § 1150.31

---

Peter W. Denton  
Sarah B. Nural  
Steptoe & Johnson LLP  
1330 Connecticut Ave. NW  
Washington, DC 20036  
(202) 429-6445

*Attorneys for Florida Gulf &  
Atlantic Railroad, LLC*

Dated: December 7, 2018

BEFORE THE  
SURFACE TRANSPORTATION BOARD

---

DOCKET NO. FD 36247

---

FLORIDA GULF & ATLANTIC RAILROAD LLC  
—ACQUISITION AND OPERATION EXEMPTION WITH INTERCHANGE  
COMMITMENT—CSX TRANSPORTATION, INC.

---

VERIFIED NOTICE OF EXEMPTION  
Pursuant to 49 C.F.R. § 1150.31

---

Florida Gulf & Atlantic Railroad, LLC (“FGA”), a non-carrier, hereby files this Verified Notice of Exemption pursuant to 49 C.F.R. § 1150.31, *et seq.*, to exempt from regulation under 49 U.S.C. § 10901 FGA’s acquisition from CSX Transportation, Inc. (“CSXT”) and operation of the following rail lines: (1) the Tallahassee Subdivision between Baldwin, FL, at or near CSXT milepost SP 653.3, and Chattahoochee, FL, at or near CSXT milepost SP 842.5; (2) the P&A Subdivision between Chattahoochee, FL, at or near CSXT milepost 00K810.7, and Pensacola, FL, at or near CSXT milepost 00K651.0; and (3) portions of the Bainbridge Subdivision between Tallahassee, FL, at or near CSXT milepost SLC 52.0, and Attapulgus, GA, at or near CSXT milepost SLC 79.0 (collectively, the “Lines”). The total length of the Lines is approximately 373 miles. Based on projected revenues for the Lines, FGA expects to be a Class III rail carrier.

As part of this transaction, CSXT will retain limited overhead trackage rights only for the movement of certain CSXT freight traffic, in CSXT’s trains, locomotives, cars, and equipment with CSXT’s own crews over the following segments of the Lines: (1) the Tallahassee Subdivision between the connection with CSXT at Baldwin, FL at or near CSXT milepost SP 653.3 and Chattahoochee, FL, at or near CSXT milepost SP 842.5; and

(2) the P&A Subdivision between Chattahoochee, FL, at or near CSXT milepost 00K810.7, and the connection with CSXT at Pensacola, FL, at or near CSXT milepost 00K 651.0 (collectively, the “CSXT Trackage Rights Lines”). Because “[CSXT] has simply transferred less than its entire interest in the line to [FGA], retaining certain overhead trackage rights for itself,” this retention of limited overhead trackage rights does not require separate approval by the Surface Transportation Board (“Board”). *Minn. N. R.R., Inc.—Exemption—Acquisition and Operation of Rail Line and Incidental Trackage Rights from Burlington N. R.R. Co., et al.*, FD-33315, *et al.*, slip op. at 5 (STB served Aug. 14, 1997).

This Verified Notice is related to Docket No. FD 36248, *RailUSA, LLC and American Rail Partners, LLC—Continuance in Control Exemption—Florida Gulf & Atlantic Railroad, LLC*, in which RailUSA, LLC (“RailUSA”) and American Rail Partners, LLC (“ARP”) concurrently are filing a verified notice of exemption pursuant to 49 C.F.R. § 1180.2(d)(2) to exempt from the provisions of 49 U.S.C. §§ 11323-25 the continuance in control of FGA once FGA acquires the Lines and becomes a carrier. RailUSA and ARP are non-carriers and control a Class III carrier that leases and operates on lines in Mississippi and Tennessee, Grenada Railroad, LLC.

In accordance with the requirements of 49 C.F.R. § 1150.33 and other applicable provisions, FGA submits the following information:

**Name and Address of Applicant: 49 C.F.R. § 1150.33(a)**

The full name and address of the applicant:

Florida Gulf & Atlantic Railroad, LLC  
5200 Town Center Circle  
Tower I, Suite 550  
Boca Raton, FL 33486

**Applicant's Representative: 49 C.F.R. § 1150.33(b)**

The name, address, and telephone number of the representative of the applicant who should receive correspondence:

Peter W. Denton  
Steptoe & Johnson LLP  
1330 Connecticut Ave. NW  
Washington, DC 20036  
(202) 429-6445

**Statement of Agreement: 49 C.F.R. § 1150.33(c)**

RailUSA and CSXT have executed a Purchase and Sale Agreement (the "PSA") to acquire the Lines. Prior to consummating the acquisition, RailUSA will assign all of its rights and obligations under the PSA to FGA, a newly-formed, wholly-owned, non-carrier subsidiary of RailUSA, and FGA will acquire the Lines. RailUSA will not acquire the Lines, and RailUSA is not the applicant here.

**Operator of the Property: 49 C.F.R. § 1150.33(d)**

FGA will become the operator of the Lines upon consummation of the transaction.

**Summary of Proposed Transaction: 49 C.F.R. § 1150.33(e)**

FGA is a newly-formed, wholly-owned, non-carrier subsidiary of RailUSA. Pursuant to the PSA, FGA will acquire from CSXT and operate the following rail lines: (1) the Tallahassee Subdivision between Baldwin, FL, at or near CSXT milepost SP 653.3, and Chattahoochee, FL, at or near CSXT milepost SP 842.5; (2) the P&A Subdivision between Chattahoochee, FL, at or near CSXT milepost 00K810.7, and Pensacola, FL, at or near CSXT milepost 00K651.0; and (3) portions of the Bainbridge Subdivision between Tallahassee, FL, at or near CSXT milepost SLC 52.0, and Attapulugus, GA, at or near CSXT milepost SLC 79.0 (collectively, the "Lines"). The total length of the Lines is approximately 373 miles.

As part of this transaction, CSXT will retain limited overhead trackage rights only for the movement of certain CSXT freight traffic, in CSXT's trains, locomotives, cars, and equipment with CSXT's own crews over the following segments of the Lines: (1) the Tallahassee Subdivision between the connection with CSXT at Baldwin, FL at or near CSXT milepost SP 653.3 and Chattahoochee, FL, at or near CSXT milepost SP 842.5; and (2) the P&A Subdivision between Chattahoochee, FL, at or near CSXT milepost 00K810.7, and the connection with CSXT at Pensacola, FL, at or near CSXT milepost 00K 651.0 (collectively, the "CSXT Trackage Rights Lines").

The full name and address of the entity transferring the Lines and retaining trackage rights over the CSXT Trackage Rights Lines is as follows:

CSX Transportation, Inc.  
500 Water St., J-801  
Jacksonville, Florida 32202

FGA intends to accept the assignment of RailUSA's rights and obligations under the PSA, consummate FGA's acquisition of the Lines, and commence FGA operations on the Lines on or after January 6, 2019, 30 days from the date of this filing and 60 days from the date of the filing in this proceeding of FGA's certification of compliance with the notice requirements of 49 C.F.R. § 1150.32(e).

**Map: 49 C.F.R. § 1150.33(f)**

A map of the Lines is attached as Exhibit A.

**Certification: 49 C.F.R. § 1150.33(g)**

FGA hereby certifies that FGA's projected revenues do not exceed those that would qualify it as a Class III carrier.

**Advance Notice: 49 C.F.R. § 1150.32(e)**

Because FGA's projected annual revenue exceeds \$5 million, FGA has complied with the notice requirements of 49 C.F.R. § 1150.32(e). Attached as Exhibit B is a copy of FGA's certification of compliance, filed in this docket on November 6, 2018.

**Interchange Commitments: 49 C.F.R. § 1150.33(h)**

FGA hereby certifies that the proposed operation of the Lines involves an interchange commitment, as that term is defined in 49 C.F.R. § 1150.33(h)(1). FGA provides the following information about the interchange commitment, as required by 49 C.F.R. § 1150.33(h)(1):

**(i) The existence of that provision or agreement and identification of the affected interchange points;**

The PSA described above does not contain any provision that may limit FGA's ability to interchange with a third-party connecting carrier. The Freight Operating Agreement between FGA and CSXT contains an interchange commitment that affects interchange with carriers other than CSXT at the interchange points of Chattahoochee, FL (with AN Railway) and Cottdale, FL (with Bay Line Railroad).

**(ii) A confidential, complete version of the document(s) containing or addressing that provision or agreement;**

A confidential version of the Freight Operating Agreement that contains the interchange commitment is included in the Confidential Appendix governed by 49 C.F.R. § 1104.14(a).

**(iii) A list of shippers that currently use or have used the line in question within the last two years;**

Attached as Exhibit C.



**(iv) The aggregate number of carloads those shippers specified in paragraph (h)(1)(iii) of this section originated or terminated (confidential);**

This information is included in the Confidential Appendix.

**(v) A certification that the filing party has provided notice of the proposed transaction and interchange commitment to the shippers identified in paragraph (h)(1)(iii) of this section;**

FGA hereby certifies that FGA has provided notice of the proposed transaction and interchange commitment to the shippers identified in subparagraph (iii) above through service of a copy of this Verified Notice of Exemption.

**(vi) A list of third party railroads that could physically interchange with the line sought to be acquired or leased;**

AN Railway and Bay Line Railroad.

**(vii) An estimate of the difference between the sale or lease price with and without the interchange commitment (confidential);**

This information is addressed in the Confidential Appendix.

**(viii) A change in the case caption so that the existence of an interchange commitment is apparent from the case title.**

The caption of this proceeding reflects the existence of an interchange commitment.

#### **Environmental and Historic Preservation: 49 C.F.R. § 1105**

Pursuant to 49 C.F.R. § 1105.6(c)(1)(i), no environmental documentation is required because this proceeding involves an acquisition under 49 U.S.C. § 10901 for continued rail operations that will not result in operational changes that would exceed any of the thresholds established in 49 C.F.R. § 1105.7(e)(4) or (5). This action will not significantly affect either the quality of the human environment or energy conservation.

Pursuant to 49 C.F.R. § 1105.8(b)(1), no historic report is required because the proposed transaction involves the sale of a rail line for the purpose of continued rail operations where further Board approval is required to abandon any service, and there are

no plans to dispose of or alter properties subject to Board jurisdiction that are 50 years old or older.

**Caption Summary: 49 C.F.R. § 1150.34**

A caption summary is attached as Exhibit D to this notice.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter W. Denton', with a long horizontal flourish extending to the right.

---

Peter W. Denton  
Sarah B. Nural  
Steptoe & Johnson LLP  
1330 Connecticut Ave. NW  
Washington, DC 20036  
(202) 429-6445

*Attorneys for Florida Gulf & Atlantic Railroad,  
LLC*

Dated: December 7, 2018

## EXHIBIT A

Map of the Lines to be acquired and operated by FGA:



**EXHIBIT B**

**CERTIFICATION OF COMPLIANCE  
WITH 49 C.F.R. § 1150.32(e)**

Peter W. Denton  
202 429 6445  
pdenton@steptoe.com

FD-36247



1330 Connecticut Avenue, NW  
Washington, DC 20036-1795  
202 429 3000 main  
www.steptoec.com

246747

ENTERED  
Office of Proceedings  
November 6, 2018  
Part of  
Public Record

November 6, 2018

**VIA E-FILING**

Cynthia T. Brown  
Chief of the Section of Administration, Office of Proceedings  
Surface Transportation Board  
395 E Street, SW  
Washington, DC 20423

RE: Docket No. FD-36247, Florida Gulf & Atlantic Railroad LLC—Acquisition and  
Operation Exemption With Interchange Commitment—CSX Transportation, Inc.

Dear Ms. Brown:

Pursuant to 49 C.F.R. § 1150.32(e), Florida Gulf & Atlantic Railroad LLC (“FGAR”) hereby certifies that on November 6, 2018, the attached Notice of Intent to Acquire Lines (“Notice”) was posted at the following workplaces of employees of CSX Transportation, Inc. (“CSX”):

122 Engelhard Rd., Attapulgus, GA 31715  
103 Martin St., Bainbridge, GA 31717  
1100 S. Main St., Chattahoochee, FL 32324  
667 Pecan St., Chipley, FL 32428  
101 Pecan St., Chipley, FL 32428  
121 North Wilson St., Crestview, FL 32536-3435  
602 N. Gwen Lake Blvd., Lake City, FL 32055  
4700 Sycamore Drive, Pensacola FL 32503  
1240 S. Lipona Rd., Tallahassee, FL 32310

FGAR also certifies that on November 6, 2018, the Notice was served by first class mail, postage prepaid, on the national offices of the labor unions representing CSX employees on the subject rail lines, at the following addresses:

Freddie N. Simpson, President  
BMWED-IBT  
41475 Gardenbrook Road

Cynthia T. Brown  
November 6, 2018  
Page 2

Novi, MI 48375-1328

Floyd Mason, President  
Brotherhood of Railroad Signalmen  
917 Shenandoah Shores Road  
Front Royal, VA 22630

Robert Scardelletti, President  
Transportation Communications Union  
3 Research Place  
Rockville, Maryland 20850

Lonnie R. Stephenson, International President  
International Brotherhood of Electrical Workers  
900 7th St., NW  
Washington, DC 20001

John E. Lacey, President  
International Association of Machinists and Aerospace Workers,  
7010 Broadway, Suite 203  
Denver, CO 80221

Richard A. Johnson, General President  
Brotherhood Railway Carmen Division of the Transportation •  
Communications Union / IAM  
3 Research Place  
Rockville, MD 20850

John Previsich, President  
Transportation Division, International Association of Sheet Metal, Air, Rail and  
Transportation Workers (SMART)  
1750 New York Avenue, NW, 6th Floor  
Washington, D.C. 20006

Dennis R. Pierce, National President  
Brotherhood of Locomotive Engineers and Trainmen  
7061 East Pleasant Valley Road  
Independence Ohio 44131

If you have any questions about this Notice, please contact me directly at 202-429-6445.

Cynthia T. Brown  
November 6, 2018  
Page 3

Sincerely,

A handwritten signature in black ink, appearing to read "Peter W. Denton", with a long horizontal flourish extending to the right.

Peter W. Denton  
Attorney for Florida Gulf & Atlantic Railroad LLC

Enclosure

## NOTICE OF INTENT TO ACQUIRE LINES

Pursuant to regulations of the Surface Transportation Board, 49 C.F.R. § 1150.32(e), Florida Gulf & Atlantic Railroad LLC ("FGAR") hereby notifies employees of CSX Transportation, Inc. ("CSXT") that FGAR intends to acquire from CSXT and operate the following rail lines: (1) the Tallahassee Subdivision between Baldwin, FL at or near CSXT milepost SP 653.3 and Chattahoochee, FL, at or near CSXT milepost SP 842.5, (2) the P&A Subdivision between Chattahoochee, FL, at or near CSXT milepost 00K810.7 and Pensacola, FL, at or near CSXT milepost 00K651.0, and (3) portions of the Bainbridge Subdivision between Tallahassee, FL, at or near CSXT milepost SLC 52.0 and Attapulcus, GA, at or near CSXT milepost SLC 79.0 (the "Lines"). The total length of the Lines is approximately 373 Miles.

As a result of acquiring and operating the Lines, FGAR expects to have employment opportunities in the following areas:

### ***Freight Operation:***

Approximately 37 positions in or near Tallahassee, FL. These positions require the following minimum skills and/or qualifications:

### ***Superintendent of Operations:***

One (1) position located in or near Tallahassee, FL. This position requires the following minimum skills and/or qualifications:

- Monitor operations to ensure that employees comply with company safety and operating rules, policies, procedures, union agreements and governmental regulations.
- Promote a safe work environment through the development of safety programs, goals and measurements.
- Direct and coordinate activities in the operations department and allocate the proper resources to meet operational demands and ensure on time performance.
- Define and monitor key performance metrics and processes to improve efficiency and meet corporate goals
- Bachelor's degree in business, transportation, or engineering related field preferred.
- Must have at least 5 -10 years of railroading experience in a supervisor role with experience managing Direct Reports.

### ***Trainmaster:***

Approximately two (2) positions located in or near Tallahassee, FL. These positions require the following minimum skills and/or qualifications:

- Supervises and coordinates activities of train crews engaged in railroad operations.
- Must possess a high school education, and a minimum of 12 months job-related experience; or equivalent combination of education and experience.
- Must possess a valid Engineer's certificate issued by a program in compliance with 49 CFR Part 240 and/or valid Conductor's certificate issued by a program in compliance with 49 CFR Part 242 and must be able to meet all hearing and vision requirements of 49 CFR Part 240 and/or 49 CFR Part 242.

### ***Conductor:***

Approximately nine (9) positions located in or near Tallahassee, FL. These positions require the following minimum skills and/or qualifications:



- Must have an understanding of the operation of track switches, coupling and uncoupling cars and performs other duties associated with the movement of trains, cars and engines in rail yards and on the main railroad, and pass written tests to verify competency.
- Must possess a valid Conductor's certificate issued by a program in compliance with 49 CFR Part 242.
- Must be able to meet all hearing and vision requirements of 49 CFR Part 242.
- At least six months experience as a Conductor/Brakeman.

***Engineer:***

Approximately nine (9) positions in or near Tallahassee, FL. These positions require the following minimum skills and/or qualifications:

- Must be able to operate diesel-locomotives, interpret train orders, railroad rules, and pass written tests to verify competency.
- Must possess a valid Engineer's certificate issued by a program in compliance with 49 CFR Part 240.
- Must be able to meet all hearing and vision requirements of 49 CFR Part 240.
- Must have an understanding of the operation of track switches, coupling and uncoupling cars and performs other duties associated with the movement of trains, cars and engines in rail yards and on the main railroad, and pass written tests to verify competency.
- At least six months experience as a Locomotive Engineer.

***Track Inspector:***

Approximately one (1) positions located in or near Tallahassee, FL. These positions require the following minimum skills and/or qualifications:

- Inspect railroad track structure for compliance with railroad policy and federal/state regulations.
- Implement remedial action on defects pending repair.
- Inspect completed work to verify conformance to government regulations.
- Prepare inspection reports for management and government compliance.
- Must possess a high school education or GED, and a minimum of 12 months job-related experience.

***Roadmaster:***

Approximately one (1) position located in or near Tallahassee, FL. These positions requires the following minimum skills and/or qualifications:

- Coordinate and plan ordinary maintenance and program track work with other departments to maximize track work and train operations
- Perform track inspections and monitor track inspectors to ensure quality inspections and safe train operations
- Follow and monitor work practices, safety related issues to improve quality and performance
- Monitor and enforce FRA compliance along with company policies, rules and standards
- Must possess a high school education or GED, and a minimum of 1-3 years of experience.

***Brakeman:***

Approximately two (2) positions located in or near Tallahassee, FL. These positions requires the following minimum skills and/or qualifications:

- Oversees the movement of rail cars and trains

- Ability to operate and visually check switch conditions and routes.
- Able to communicate via radio and arm signals affecting the movement of trains.
- Able to endure outside weather conditions for an extended period of time
- Must be able to qualify and obtain Conductor Certification within prescribed time limits.
- Must possess a Highschool Diploma or equivalent

***Maintenance of Way Crew:***

Approximately five (5) positions located in or near Tallahassee, FL. These positions require the following minimum skills and/or qualifications:

- Remove and replace defective ties, rails, spikes, plates, bolts, bars, anchors, etc.
- Correct deviations in track surface, alignment and gauge.
- Must be willing to become competent in applying FRA rules and regulations and be able to perform maintenance in a timely manner.
- Must be willing to learn to operate in a safe and efficient manner, all equipment and tools associated with track maintenance.
- Must have Class B CDL.
- Must possess a high school education or GED, and a minimum of 12 months job-related experience; or equivalent combination of education and experience.

***Sales and Marketing:***

Approximately one (1) position located in or near Tallahassee, FL. This position requires the following minimum skills and/or qualifications:

- Develop and implement marketing strategies based on competitive and economic conditions, geographic analysis, and customer surveys, prospect for and develop new business opportunities
- Lead and coordinate programs with FGAR operations to enhance customer value.
- Bachelor's degree in business, engineering, or marketing related field preferred.
- 3-5 years of experience in railroad sales, transportation, marketing, operations or logistics management.

***Controller:***

Approximately one (1) position located in or near Tallahassee, FL. This position requires the following minimum skills and/or qualifications:

- Record all transactions and post debits and credits
- Produce financial statements and other reports for supervisors and managers
- Prepare bank deposits by compiling data from cashiers, verifying receipts, and sending cash, checks or other forms of payment to the bank
- Process bi-weekly payroll for the Railroad employees
- Make purchases, prepare invoices, and keep track of overdue accounts
- 4-6 years of experience
- Expert in Microsoft Excel, knowledge of Microsoft Office Suite and QuickBooks, familiarity with the RMI railroad software system, and experienced in budget preparation and variance analysis.

***Accounting Clerk:***

Approximately one (1) position located in or near Tallahassee, FL. This position requires the following minimum skills and/or qualifications:

- Enter and balance accounts receivable and payable on a daily basis
- Track deposits made to bank and handle deposit transfers
- Monitor credit card charges, payment discrepancies, refunds, returns and miscellaneous charges
- Maintain orderly financial filing system
- Verifying the accuracy of invoices and other accounting documents or records.
- Update and maintain accounting journals, ledgers and other records detailing financial business transactions
- High School Diploma or GED equivalent required, 2-4 years hands-on Accounting experience
- Knowledge of QuickBooks

***Bridgetenders/Admin:***

Approximately three (3) positions located in or near Tallahassee, FL. This position requires the following minimum skills and/or qualifications:

- Operates controls and moves levers that activate traffic signals and/or activates interlocking railroad signals to warn oncoming railroad trains.
- Starts motor of swing bridge and operates controls to turn bridge, giving either vessels or railroad trains passage.
- Communicates and/or signals vessels to pass through opening. Inspects swing bridge and auxiliary equipment.
- Cleans, oils, and greases machinery. Writes and submits maintenance work requisitions.
- Prepares reports of accidents occurring on or to bridge.
- Must possess a high school education or GED, and a minimum of 6 months job-related experience.

***Office Manager:***

Approximately one (1) position located in or near Tallahassee, FL. This position requires the following minimum skills and/or qualifications:

- Maintains office services by organizing office operations and procedures, controlling correspondence, designing filing systems, reviewing and approving supply requisitions, assigning and monitoring clerical functions
- Maintains office efficiency by planning and implementing office systems and ensuring all departments are aware of systems and are working together
- Assures task of receiving calls, taking messages and routing correspondence occur seamlessly
- Be the main point of contact with visitors and the building management to assure that work orders
- Produce reports, presentations, briefs and organize office operations and procedures
- Develop and carry out an efficient documentation and filing system of paper and electronic documents
- Must possess a high school education or GED, and a minimum of 3-4 years of experience

***FGAR will offer:***

Medical, Dental, Vision  
Supplemental insurance  
Short Term Disability  
Holidays

Sick & Vacation Time  
Safety Boot Program

**Please Note:**

The most qualified candidates will be selected from the available pool of applicants without regard to race, creed, color, religion, national origin, sex, age, marital status, disability or veteran status. Consistent with the terms of the lease and any relevant collective bargaining agreements, due consideration will be provided to all qualified applicants. The selection criteria will be job- related skills and attributes as outlined above. Successful candidates must have a stable work record and exhibit safe work practices. The ability to work in a team environment with a focus on customer service is critical. Applicants must be able to read and comprehend regulations and instructions in English, as well as possess good oral communication skills. Successful applicants will be required to pass a pre-employment drug and alcohol screen and complete a post-offer functional assessment. Successful applicants must have a valid driver's license, a clean driving record, and be willing to submit to an employment, criminal, motor vehicle record review, and medical questionnaire (as necessary). Wages offered to prospective FGAR employees will be commensurate with their experience. Every team member is an at-will employee. All team members are expected to know and abide by FGAR's code of employee conduct.

Additional information can be obtained by contacting Charles Hankerson, General Manager, Florida Gulf & Atlantic Railroad LLC, Boca Center, Tower 1, 5200 Town Center Circle, Suite 550, Boca Raton, FL 33486, (561) 617-8073, [charles.hankerson@railusa.net](mailto:charles.hankerson@railusa.net).

Date Posted: November 5, 2018

## **EXHIBIT C**

### **LIST OF SHIPPERS REQUIRED BY 49 C.F.R. § 1150.33(h)(1)(iii)**

ACTIVE MINERALS INTERNATIONAL LLC  
AMERICAN STEEL PROCESSING COMPANY  
ANDERSON COLUMBIA COMPANY INC  
BASF CORP  
BOISE CASCADE COMPANY  
CAPITOL MATERIALS INC.  
COASTAL PLYWOOD COMPANY  
COLUMBIA GRAIN & INGREDIENTS INC.  
CONRAD YELVINGTON DISTRIBUTORS INC.  
FARMER'S CO-OPERATIVE, INC.  
GE ENERGY  
GRIFFINS 19C INC.  
GULF CABLE LLC  
HOWLAND'S FEED MILL INC.  
IMERYS PERLITE USA INC.  
INSTEEL WIRE PRODUCTS COMPANY INC.  
LHOIST NORTH AMERICA INC  
LONE STAR INDUSTRIES INC  
MAYO FERTILIZER INC  
NEW MILLENNIUM BUILDING SYSTEMS LLC  
OXBOW SULPHUR INC  
PCS SALES (USA) INC  
PILGRIM'S PRIDE CORP.  
SANDERSON PIPE CORP.  
SPANISH TRAIN LUMBER COMPANY LLC  
STERLING FIBERS INC.  
TAMINCO US LLC

## **EXHIBIT D – CAPTION SUMMARY**

### **SURFACE TRANSPORTATION BOARD**

#### **NOTICE OF EXEMPTION**

---

DOCKET NO. FD 36247

**FLORIDA GULF & ATLANTIC RAILROAD, LLC  
—ACQUISITION AND OPERATION EXEMPTION WITH INTERCHANGE  
COMMITMENT—CSX TRANSPORTATION, INC.**

---

Florida Gulf & Atlantic Railroad, LLC (“FGA”), a non-carrier, has filed a Verified Notice of Exemption under 49 C.F.R. § 1150.31, *et seq.*, to acquire from CSX Transportation, Inc. (“CSXT”) and operate the following rail lines: (1) the Tallahassee Subdivision between Baldwin, FL, at or near CSXT milepost SP 653.3, and Chattahoochee, FL, at or near CSXT milepost SP 842.5; (2) the P&A Subdivision between Chattahoochee, FL, at or near CSXT milepost 00K810.7, and Pensacola, FL, at or near CSXT milepost 00K651.0; and (3) portions of the Bainbridge Subdivision between Tallahassee, FL, at or near CSXT milepost SLC 52.0, and Attapulcus, GA, at or near CSXT milepost SLC 79.0 (collectively, the “Lines”).

As part of this transaction, CSXT will retain limited overhead trackage rights only for the movement of certain CSXT freight traffic, in CSXT’s trains, locomotives, cars, and equipment with CSXT’s own crews over the following segments of the Lines: (1) the Tallahassee Subdivision between the connection with CSXT at Baldwin, FL at or near CSXT milepost SP 653.3 and Chattahoochee, FL, at or near CSXT milepost SP 842.5; and (2) the P&A Subdivision between Chattahoochee, FL, at or near CSXT milepost 00K810.7, and the connection with CSXT at Pensacola, FL, at or near CSXT milepost 00K 651.0.

Also as part of this transaction, FGA will acquire the right to operate FGA's trains, locomotives, cars and equipment with its own crews, solely for the purposes of conducting interchange with CSXT, the following segments of CSXT rail lines: (1) CSXT milepost 00K 651.0 to 00K 649.0, near Pensacola, FL; and (2) CSXT milepost SP 653.3 to S 653.0, near Baldwin, FL.

Comments must be filed with the Board and served on:

Peter W. Denton  
Steptoe & Johnson LLP  
1330 Connecticut Ave. NW  
Washington, DC 20036  
(202) 429-6445

The notice is filed under 49 C.F.R. § 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. § 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

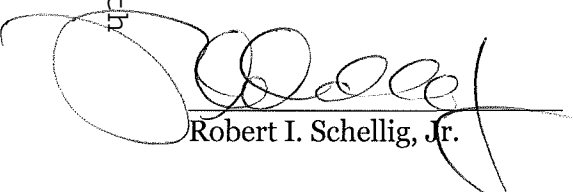
**VERIFICATION**

**STATE OF FLORIDA**

**COUNTY OF PALM BEACH**


)  
) **ss.**  
)

I, Robert I. Schellig, Jr., being duly sworn, depose and state that I am Senior Vice President and General Counsel of Florida Gulf & Atlantic Railroad, LLC, that I am authorized to make this verification, and that I have read the foregoing Notice of Exemption and know the facts asserted therein are true and accurate as stated to the best of my knowledge, information, and belief.

4th  
  
Robert I. Schellig, Jr.

SUBSCRIBED AND SWORN TO  
before me this \_\_\_ day of December, 2018  
in the County of Palm Beach, State of Florida

My Commission Expires: 10/17/2020

  
Notary Public

